IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application. No: 10/051,268	§	Atty. Dkt. No: 5150-58300
Filed: January 18, 2002	§	
Inventor(s): Sundeep Chandhoke, Nicolas Vazquez, David W Fuller and Christopher Cifra	§	
Title: System and Method for Programmatically Generating a Graphical Program Based on a Sequence of Motion Control, Machine Vision, and Data Acquisition (DAQ) Operations	§	
Examiner: Pham, Christine G	§	
Group/Art Unit: 2192	§	

REPLY BRIEF

Box: Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

In response to the Examiner's Answer mailed March 3, 2008, Appellant presents this Reply Brief. Appellant respectfully requests that this Reply Brief be considered by the Board of Patent Appeals and Interferences.

REMARKS

Appellant submits that the Examiner's remarks with respect to the independent claims do not overcome the arguments presented in the Appeal Brief. For example, claim 1 recites in pertinent part:

> receiving user input to the graphical user interface specifying the sequence of operations

and

> automatically generating a graphical program to implement the specified sequence of operations, wherein said automatically generating the graphical program comprises generating graphical code in the graphical program without direct user input, and wherein the graphical code comprises a plurality of interconnected nodes which visually indicate the functionality of the graphical program.

The Examiner has equated the recited graphical code comprising the plurality of interconnected nodes which visually indicate the functionality of the graphical program with the step icons illustrated in Limondin's step program, such as illustrated in FIGs. 2 and 9. However, the step program and the step icons illustrated in FIGs. 2 and 9 are not automatically generated. As admitted by the Examiner on p. 20 of the Examiner's Answer:

> "Limondin teaches the step program is created and/or edited by having the user graphically manipulating/editing the step icons' parameters (i.e., inputs and outputs) (see at least results, outputs, inputs, steps col 4:42-50) and connections between the icons and execution order (i.e., sequence and/or control flow) of the steps (i.e., operations) can also be graphically defined by the user"

Therefore, Limondin does not teach automatically generating the graphical code which comprises the plurality of interconnected nodes which visually indicate the functionality of the graphical program **without direct user input**, as recited in claim 1. Instead, the step icons illustrated in Limondin's step program (which the Examiner has equated with the plurality of interconnected nodes) are included in the step program in response to direct user input. Limondin simply does not teach the recited limitations of, "automatically generating a graphical program to implement the specified sequence of operations, wherein said automatically generating the graphical program comprises **generating graphical code in the graphical program without direct user input, and**

wherein the graphical code comprises a plurality of interconnected nodes which visually indicate the functionality of the graphical program".

Appellant thus respectfully submits that Limondin fails to teach the subject matter of the independent claims 1, 25, 26, 28, 37, 39, 41-45 for at least this reason. Appellant also re-asserts the other arguments set forth in the Appeal Brief with respect to these claims. In particular, please see the arguments presented on p. 18 (entire page) of the Appeal Brief.

CONCLUSION

Appellant submits that the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5150-58300/JCH.

Respectfully submitted,

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